

# JOURNAL OF THE SENATE

950

Wednesday, May 27, 1959

The Senate convened at 10:00 o'clock A. M., pursuant to adjournment on Tuesday, May 26, 1959.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kiehlter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

—37.

A quorum present.

Senator Dickinson was excused from attendance upon the Session.

The following Prayer was offered by the Senate Chaplain, Reverend L. B. Thomason:

Our Father, we pray that Thou wilt stop us for a moment of prayer. Stop our minds from wandering, and our hearts from desiring anything but Thee. Let us stand before Thee and hear Thy voice. Let us be conscious of Thy presence among us. In Jesus name. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Friday, May 22, 1959, was further corrected as follows:

Page 802, column 1, at the end of line 22, counting from the bottom of the column, strike out the figures "\$254,042" and insert in lieu thereof the following: "\$254,024"

Also—

Page 804, column 1, line 25, counting from the bottom of the column, strike out the figures "6,840" and insert in lieu thereof the figures "6,480"

Also—

Page 811, column 1, at the end of line 25, strike out the figures "\$23,236,001" and insert in lieu thereof the figures "\$23,236,011"

Also—

Page 814, column 1, at the end of line 11, strike out the figures "\$1,262,733" and insert in lieu thereof the figures "\$1,263,733"

Also—

Page 843, column 1, line 39, strike out the figures \$17,000" and insert in lieu thereof the figures "\$17,500"

Also—

Page 845, column 1, line 22, strike out "(a)" and insert in lieu thereof "(b)"

Also—

Page 846, column 1, at the end of line 8, strike out the figures "\$254,024" and insert in lieu thereof the figures "\$254,024"

Also—

Page 854, column 1, between lines 32 and 33, insert the following:

"Sub-total (a) ..... \$3,101,100 ...\$3,132,338"

Also—

Page 856, column 2, at the end of line 22, insert the following: "\$300,000"

Also—

Page 856, column 2, at the end of line 7, counting from the bottom of the column, strike out the word "DEVELOPMENT" and insert in lieu thereof the word "DEPARTMENT"

Also—

Page 858, column 2, line 18, counting from the bottom of the column, strike out the word "Pudget" and insert in lieu thereof the word "Budget"

Also—

Page 860, column 1, line 5, counting from the bottom of the column, strike out "(4)" and insert in lieu thereof "(3)"

And as further corrected was approved.

The Senate daily Journal of Monday, May 25, 1959, was further corrected as follows:

Page 861, column 2, line 27, counting from the bottom of the column, strike out the figures "973" and insert in lieu thereof the figures "793."

Also—

Page 864, column 2, between lines 23 and 24, counting from the bottom of the column, insert the following:

"Which was agreed to by a two-thirds vote."

Also—

Page 877, column 2, strike out lines 15 and 16.

Also—

Page 885, column 2, line 19, following the word "extended" and before the word "the" insert the following: "and the Legislature of the State of Florida having just extended"

And as further corrected was approved.

The Senate daily Journal of Tuesday, May 26, 1959, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

### REPORT OF THE COMMITTEE ON RULES AND CALENDAR PURSUANT TO SENATE RULE 66

May 27, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

*Sir:*

Your Committee on Rules and Calendar, pursuant to Senate Rule 66, submits herewith the list of bills to constitute the Special Order Calendar to be considered by the Senate on May 27, 1959, and thereafter, if necessary to complete:

S. B. No. 982—By Senator Johns—Relating to plastic bags and coverings

Committee Substitute for H. B. No. 442—By the Committee on Public Health—Relating to the Milk Commission

- S. B. No. 411—By Senator Ripley—Relating to rate of wages to be paid mechanics, laborers, etc., on public works
- S. B. No. 666—By Senators Hair and Adams—Relating to the Department of Agriculture, the Division of plant industry, etc.
- S. B. No. 669—By Senators Hair and Adams—Relating to the Department of Agriculture, the Division of Animal Industry, etc.
- H.B. No. 1423—By the Committee on Banks and Loans—Relating to budget planning
- S. B. No. 750—By Senator Clarke—Relating to State and County Retirement System
- H. B. No. 404—By Mr. Rowell of Sumter, et al.—Relating to spirituous liquors
- S. B. No. 738—By Senator Carraway—Relating to Florida State University stadium
- S. B. No. 393—By Senator Kelly, et al.—Relating to creating an interim committee to investigate and report on roads and highways
- S. B. No. 813—By Senators Gautier and Dickinson—Relating to public school financing
- H. B. No. 516—By Messrs. Horne and Mitchell of Leon, et al.—Relating to the establishment of a conference of circuit judges
- H. B. No. 387—By Messrs. Turlington and Fagan of Alachua, et al.—Relating to Police Officers' Retirement Fund
- S. B. No. 1020—By the Committee on Motor Vehicles—Relating to maximum weights of motor vehicles
- S. B. No. 791—By Senator Gibbons—Relating to R. R. Swilley; relief of
- S. B. No. 924—By Senator Stenstrom—Relating to written instruments conveying interests in real property
- S. B. No. 710—By Senator Tedder, et al.—Relating to mortgage transactions on real property
- H. B. No. 973—By Messrs. Mitchell and Horne of Leon—Relating to the assessment for taxes of lands upon which improvements are being constructed, etc.
- S. B. No. 671—By Senator Boyd—Relating to retail installment transactions
- S. B. No. 985—By Senator Price—Relating to Olivia S. Carey; relief of
- S. B. No. 984—By Senator Price—Relating to agriculture and marketing of sweet corn
- S. B. No. 373—By Senator Eaton—Relating to giving, soliciting or accepting bribes
- S. B. No. 809—By Senator Houghton—Relating to the State and County Retirement System
- S. B. No. 860—By the Committee on Pensions and Claims—Relating to the State and County Retirement System; providing for premium deduction for group hospitalization insurance
- S. B. No. 1053—By the Committee on Game and Fisheries—Relating to nutria

Respectfully submitted,

W. T. DAVIS, Chairman,  
Committee on Rules and Calendar

Senator Melton, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 1056—A bill to be entitled An Act making it unlawful for any person, firm or corporation licensed under

Section 320.27, Florida Statutes, to engage in the business of buying, selling, trading or exchanging new, used, or second-hand motor vehicles, or offering or attempting to buy, sell, trade or exchange motor vehicles, or participate in the negotiation thereof, or of any written instrument pertaining thereto on the first day of the week, commonly called Sunday, or on legal holidays, commonly called New Year's Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas; defining certain terms as used in this Act providing that for a violation of this Act any person, firm, or corporation shall be subject to a suspension and revocation of license; providing further for relief by injunction for a violation of this Act and providing in such proceedings damages are presumed and that it will not be necessary to allege or prove special damages; providing a savings clause; and fixing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Bronson, Chairman of the Committee on Agriculture and Livestock, reported that the Committee had carefully considered the following Bill:

S. B. No. 987—A bill to be entitled An Act relating to agriculture; amending Section 583.10, Florida Statutes, to provide authority in Commissioner of Agriculture to examine, inspect and audit records of egg dealers; providing penalty for violation; providing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Bronson, Chairman of the Committee on Agriculture and Livestock, reported that the Committee had carefully considered the following Bill:

S. B. No. 992—A bill to be entitled An Act to authorize and provide for the producers of peanuts to act jointly and in cooperation with handlers, processors, and the State Department of Agriculture in promoting the production, distribution, use and consumption of peanuts; providing that producers may levy upon themselves assessments for the purpose of financing a promotional program, providing for the imposition of such assessments and the collection thereof; providing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Bronson, Chairman of the Committee on Agriculture and Livestock, reported that the Committee had carefully considered the following Bill:

S. B. No. 1017—A bill to be entitled An Act relating to agriculture; providing that it is unlawful to ship or transport tomatoes out of the production area when a Federal marketing order is in effect in regard to tomatoes prior to inspection by Commissioner of Agriculture; providing a penalty; providing an effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 216—A bill to be entitled An Act providing for the separate taxation of the interests of lessees and users of tax-exempt real and personal property in this state.

S. B. No. 401—A bill to be entitled An Act relating to license taxes; amending Sections 205.03, 205.11, 205.35, 205.37, 205.41, 205.63, Florida Statutes; amending Chapter 205, Florida Statutes, by adding thereto new Sections 205.412, 205.634, 205.635, 205.636 and 205.637, and repealing Sections 205.48, 205.49, and 205.53, Florida Statutes, by providing for surrender of license to tax collector when application for transfer is made; providing procedures to be followed by tax collector in collecting un-paid license taxes, including levy upon and sale of property, and providing fees therefor; providing

penalties for violations; providing that such tax shall be delinquent thirty (30) days after due; providing a license tax of five dollars (\$5.00) plus one dollar (\$1.00) for each employee up to a maximum of four hundred dollars (\$400.00) for all persons engaged in contracting, manufacturing, public service and other businesses not otherwise specifically provided for in Chapter 205, Florida Statutes; removing exemption of hotels from license tax provided by Section 205.37, Florida Statutes; setting forth procedures for licensing fortune tellers and others engaged in a similar occupation; providing for a license tax of one hundred dollars (\$100.00) for hypnotists and making exceptions; setting up a license tax of one dollar (\$1.00) for coin-operated service vending machines; providing for a license tax of twenty cents (\$.20) for each parking space in a parking lot or garage; providing for a license tax of fifty cents (\$.50) for every trailer space; providing for a license tax of two dollars (\$2.00) for each taxi cab operated by a taxi service; providing an effective date.

—and the Committee recommends that the Committee Substitute therefor, as reported herewith, pass.

And the Bills contained in the preceding report, with the recommended Committee Substitute attached thereto, were placed on the Calendar of Bills on Second Reading.

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 402—A bill to be entitled An Act relating to retail store license taxes; amending Section 204.06, Florida Statutes, by setting forth procedures for enforcement of collection of such license taxes; fixing an effective date.

S. B. No. 921—A bill to be entitled An Act relating to tax or sales, use and certain transactions; amending Section 212.14, Florida Statutes, 1957 by adding a new subsection to be numbered (5), to require permit and bond of contractors before performing certain contracts and providing penalty for failure to comply; renumbering Subsection (5) of Section 212.14, Florida Statutes; and providing an effective date.

—and the Committee recommends that the Committee Substitute therefor, as reported herewith, pass.

And the Bills contained in the preceding report, with the recommended Committee Substitute attached thereto, were placed on the Calendar of Bills on Second Reading.

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 996—A bill to be entitled An Act relating to tax on sales, use and certain transactions; amending Section 212.08, Florida Statutes, by adding Paragraph (d) thereto; providing for fraternities and sororities to be exempt from paying tax on meals served in their houses; providing effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

#### ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with House Amendment, for engrossing—

S. B. No. 197—A bill to be entitled An Act relating to transportation of school children; regulating traffic overtaking or passing school buses; amending Section 234.04, Florida Statutes; by making exception where there is a divided highway separated by an intervening space or median strip; providing a penalty; providing an effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 197, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House Amendment, for engrossing—

S. B. No. 387—A bill to be entitled An Act relating to auctions to make it illegal for employees of an auctioneer or fictitious bidders to bid on articles sold at any auction without giving notice to the bona fide bidders; and providing an exception thereto.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 387, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House Amendment, for engrossing—

S. B. No. 438—A bill to be entitled An Act relating to highways; amending Subsection (1) of Section 335.02, Florida Statutes, by requiring the State Road Board to conduct an advertised public hearing before designating, locating, or redesignating or relocating state roads; prescribing procedures; fixing an effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 438, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with Senate Amendment, for engrossing—

S. B. No. 1048—A bill to be entitled An Act relating to any county having a population of not less than one hundred thousand (100,000) nor more than one hundred fourteen thousand (114,000), according to the latest official statewide decennial census; authorizing additional deputies; providing requirements.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 1048, contained in the above report was ordered certified to the House of Representatives.

#### INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By the Committee on Judiciary "B"—

S. B. No. 1099—A bill to be entitled An Act relating to state legal depositories by amending Section 283.23, Florida Statutes, to include junior colleges.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By Senator Ripley—

S. B. No. 1100—A bill to be entitled An Act to amend Section 2, of Chapter 27518, Laws of Florida, Acts of 1951, entitled "An Act affecting Duval County, Florida, by providing for the establishment of the position of county service officer; providing for his appointment and compensation, suitable quarters and office expense; prescribing his powers, duties and qualifications; providing for the employment of assistants and other personnel; providing for the financing of said service by the City of Jacksonville and requiring appropriate

tions therefor and any appropriation made for the compensation and expense of such county service officer shall be deemed for a lawful purpose; providing an effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 1100 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Ripley—

S. B. No. 1101—A bill to be entitled An Act to amend Section 2, of Chapter 27518, Laws of Florida, Acts of 1951, entitled "An Act affecting Duval County, Florida, by providing for the establishment of the position of county service officer; providing for his appointment and compensation, suitable quarters and office expense; prescribing his powers, duties and qualifications; providing for the employment of assistants and other personnel; providing for the financing of said service by Duval County and requiring appropriations therefor and any appropriation made for the compensation and expense of such county service officer shall be deemed for a lawful county purpose; providing an effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 1101 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Davis—

S. B. No. 1102—A bill to be entitled An Act relating to Madison County; authorizing the Board of County Commissioners of said county to use secondary road funds to pave certain streets; providing an effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 1102 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Sutton—

S. B. No. 1103—A bill to be entitled An Act relating to weapons and firearms; providing regulations for the sale and transfer of pistols; prohibiting the possession of firearms by certain persons; prohibiting the alteration of identifying marks on pistols; providing for searches and seizure in certain instances; providing for the issuance of manufacturers or dealers licenses to sell, etc., firearms; providing penalties for theft of firearms; providing additional penalties for committing crime when armed; providing parole restrictions for committing crime when armed; providing an effective date.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Sutton—

S. B. No. 1104—A bill to be entitled An Act relating to zoning in Orange County, Florida; amending paragraph (c) of Section 1 of Chapter 57-1641, Acts of 1957; providing regulations as to height, number of stories, size of buildings, size of yards and setbacks; providing an effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 1104 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By the Committee on Agriculture and Livestock—

Senate Concurrent Resolution No. 1105:

A CONCURRENT RESOLUTION EXTENDING THE TERM

OF THE AGRICULTURAL SERVICES COMMITTEE AND AUTHORIZING EXPENDITURE OF FUNDS BY IT AS LEGISLATIVE EXPENSE.

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE CONCURRING:

Section 1. The terms of office of the members of the Committee created by Chapter 57-170, Acts of 1957, are hereby extended through the 1959 regular session of the Florida Legislature.

Section 2. The said committee is hereby authorized to expend from the legislative expense fund upon vouchers signed by the chairman for expenses incurred by the said committee an amount not to exceed six thousand dollars over and above the amount appropriated by Chapter 57-170, Acts of 1957, less the amount returned to the state comptroller by the said committee.

Which was read the first time in full and placed on the Calendar of Bills on Second Reading, without reference.

By Senator Brackin—

S. B. No. 1106—A bill to be entitled An Act relating to garbage collection and disposal services in each county in the state having a population of not less than twenty-seven thousand (27,000) nor more than twenty-eight thousand (28,000) inhabitants according to the latest official state-wide decennial census; amending Chapter 57-1093, Laws of 1957, by adding a new section to be numbered 6A; providing a penalty; providing an effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

By Senator Brackin—

S. B. No. 1107—A bill to be entitled An Act relating to any county having a population of not less than twenty-seven thousand (27,000) nor more than twenty-eight thousand (28,000), according to the latest official state-wide decennial census; authorizing county commissioners to furnish office space for county officers, construct buildings and impose taxes.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

By Senator Brackin—

S. B. No. 1108—A bill to be entitled An Act relating to a program of research and education pertaining to milk, milk products and the dairy industry in Florida, creating a temporary Florida Dairy Industry Study and Advisory Committee in the State Department of Agriculture, for the purpose of studying and investigating the possible benefits to the State as well as to the dairy industry which might be derived from such a program to be sponsored by the industry with the help of the state through the Department of Agriculture and the Department of Dairy Science at the University of Florida and providing effective date.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator Brackin—

S. B. No. 1109—A bill to be entitled An Act providing for the relief of Mrs. Elva G. Wilkinson for payment of time accrued by her husband Herman Wilkinson; providing an appropriation.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Bronson—

S. B. No. 1110—A bill to be entitled An Act amending Subsection (1) of Section 550.33, Florida Statutes, relating to quarter horse races by non-profit agricultural cooperative associations at race tracks already established in Florida.

Which was read the first time by title only and referred to the Committee on Miscellaneous Legislation.

By Senator Johns—

S. B. No. 1111—A bill to be entitled An Act relating to the Health Department of Bradford County; providing for the inspection and regulation of septic tanks.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1111 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Johns moved that the rules be waived and Senate Bill No. 1111 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1111 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 1111 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1111 was read the third time in full.

Upon the passage of Senate Bill No. 1111 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So Senate Bill No. 1111 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johns—

S. B. No. 1112—A bill to be entitled An Act relating to Bradford County; amending Sections 1, 2, 3 and 10 of and adding Section 14 to Chapter 57-1154, Laws of 1957, providing for county zoning.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1112 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Johns moved that the rules be waived and Senate Bill No. 1112 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1112 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 1112 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1112 was read the third time in full.

Upon the passage of Senate Bill No. 1112 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So Senate Bill No. 1112 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Price—

S. B. No. 1113—A bill to be entitled An Act relating to Longboat Key; amending Sections 5, 6, 7(m), the second Paragraph of Section 9, Sections 21, 23, 24(b), 27(b), 28, 75, 112 and 144 of Chapter 57-1540, Laws of Florida; providing for a description of Longboat Key town limits by metes and bounds; correcting certain words.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 1113 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Price—

S. B. No. 1114—A bill to be entitled An Act amending the Longboat Key Town Charter by amending Sections 9, 13, 16, 32, 59, 69, 120, 122, 124, 138, 139 and 140, of Chapter 57-1540, Laws of Florida; amending Chapter 57-1853, Laws of Florida, by repealing the same insofar as such Act affects lands and waters of the Town of Longboat Key, or any authority or jurisdiction of the Town Commission of Longboat Key.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 1114 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

By Senator Johns—

S. B. No. 1115—A bill to be entitled An Act relating to the distribution of race track funds in Bradford County; amending Section 1 of Chapter 57-908, Acts of 1957; providing an effective date.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

By Senator Ripley—

S. B. No. 1116—A bill to be entitled An Act amending Section 193.52, Florida Statutes relating to tax sale certificates, changing the form of notice required to be given of tax sales by deleting therefrom the statement that land will be sold at public auction and substituting therefor the statement that tax sale certificates will be sold on the land described therein, and providing an effective date.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Beall—

S. B. No. 1117—A bill to be entitled An Act pertaining to plats and platting of land in Escambia County, Florida, and defining same; requiring the recording of plats in certain cases; authorizing the Board of County Commissioners of Escambia County, Florida to establish standards in regard to streets, alleys, roads or other thoroughfares and to establish building setbacks therefrom, requirement of easements for drainage, authorizing the Board of County Commissioners of Escambia County, Florida to name or number any and all roads in Escambia County, Florida and to change names or numbers thereof; making certain requirements a prerequisite for approval of plats; authorizing the Board of County Commissioners of Escambia County, Florida and the governing body of each municipality in said county to adopt rules and regulations to effectuate the provisions and purposes of this act; providing procedure for appeal to the court from any rule or regulation provided for in said act, and providing when this act shall take effect.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

By Senator Sutton—(By Request)—

S. B. No. 1118—A bill to be entitled An Act relating to candidates' campaign expenses; amending Section 99.172, Florida Statutes, providing for expenditures of up to five cents (5c) to any individual for advertising purposes; providing effective date.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Connor—(By Request)—

S. B. No. 1119—A bill to be entitled An Act relating to Hernando County, Florida; authorizing the Board of County Commissioners to adopt zoning and building regulations within certain territory of said county not included within any municipality, as to the percentage of land to building, and use of buildings, structures and land for trade, industry or other use; to adopt safety and sanitary codes regulating plumbing and electrical installations; to cooperate with the State Road Department and/or other governmental units; providing for a board of adjustment; providing for remedies and penalties for violation of this act, or any order, resolution, rule or regulation made under authority hereby conferred; conferring power to prescribe and enforce rules and regulations to effectuate the purposes of this act, and to exercise all such powers in the territory of Hernando County lying within 1,500 feet of the center line of any interstate, primary or secondary state road as designated by the State Road Department of Florida or county road as recognized by Hernando County, Florida outside the boundaries of any municipality in said county, and authorizing said board of county commissioners to require by rule, resolution, order or regulation to fence any existing junk yard and/or automobile junk yard, and to require prior approval from and after July 1, 1959, for the use and occupancy in the zoned territory of any business, trade or occupation in the following restricted class: taverns, trailer park, junk yard, automobile junk yards, effective date July 1, 1959.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 1119 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Connor moved that the rules be waived and Senate Bill No. 1119 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1119 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 1119 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1119 was read the third time in full.

Upon the passage of Senate Bill No. 1119 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So Senate Bill No. 1119 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Agriculture and Livestock—

S. B. No. 1120—A bill to be entitled An Act relating to

agriculture; providing that it is unlawful to ship or transport avocado or limes out of the production area when a federal marketing order is in effect in regard to avocado or limes prior to inspection by Commissioner of Agriculture; providing a penalty; providing an effective date.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

Senator Connor requested unanimous consent of the Senate to take up and consider House Bill No. 635, out of its order.

Unanimous consent was granted, and—

H. B. No. 635—A bill to be entitled An Act requiring the Board of County Commissioners of Citrus County to place on the ballot of the next special or general election the question of whether or not a fire control unit will be established in said county under Sections 125.23-125.29, Florida Statutes; making a petition from owners of majority of acreage unnecessary; authorizing the county commissioners to enter agreement with forestry board after affirmative vote; and providing an effective date.

Was taken up.

Senator Connor moved that the rules be waived and House Bill No. 635 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 635 was read the second time by title only.

Senator Connor offered the following amendment to House Bill No. 635:

In Section 1, page 1, strike out entire Section 1 and insert in lieu thereof the following: Section 1. For the purpose defined in sections 125.23-125.29, Florida Statutes, and to facilitate the creation and initial operation of a county fire control unit in Citrus county under said sections, the board of county commissioners of Citrus County is hereby authorized to place on the ballot of the next general election for consideration by the freeholders only, the question of whether or not a county fire control unit will be established in Citrus county; provided that the board of county commissioners may not budget or expend as matching or any other funds more than the sum of eight thousand fifty dollars (\$8,050.00) per annum for fire control use.

Senator Connor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Connor also offered the following amendment to House Bill No. 635:

In title, line 3, strike out the words: special or general election the question of whether or not a fire control unit will be established in said county under Sections 125.23-125.29, Florida Statutes; and insert in lieu thereof the following: general election the question of whether or not a fire control unit will be established in said county under Sections 125.23-125.29, Florida Statutes; providing limitation of county funds;

Senator Connor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Connor moved that the rules be further waived and House Bill No. 635, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 635, as amended, was read the third time in full.

Upon the passage of House Bill No. 635, as amended, the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton

Bronson  
Carlton  
Carraway

Getzen  
Gibbons  
Gresham

Melton  
Pearce

Tedder

Nays—None.

So House Bill No. 635 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Connor requested unanimous consent of the Senate to take up and consider Senate Bill No. 1081, out of its order.

Unanimous consent was granted, and—

S. B. No. 1081—A bill to be entitled An Act relating to salaries of Mosquito Control District Commissioners in any county having a population of not less than six thousand one hundred (6,100) nor more than six thousand three hundred (6,300) according to the latest official state-wide decennial census; providing mileage, per diem and maximum annual salary.

Was taken up.

Senator Connor moved that the rules be waived and Senate Bill No. 1081 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1081 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 1081 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1081 was read the third time in full.

Upon the passage of Senate Bill No. 1081 the roll was called and the vote was:

Yeas—37.

Mr. President  
Adams  
Beall  
Belser  
Boyd  
Brackin  
Branch  
Bronson  
Carlton  
Carraway

Clarke  
Connor  
Cross  
Davis  
Eaton  
Edwards  
Gautier  
Getzen  
Gibbons  
Gresham

Hair  
Hodges  
Houghton  
Johns  
Kelly  
Kicliter  
Knight  
Melton  
Pearce

Pope  
Price  
Rawls  
Ripley  
Stenstrom  
Stratton  
Sutton  
Tedder

Nays—None.

So Senate Bill No. 1081 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Connor requested unanimous consent of the Senate to take up and consider Senate Bill No. 1082, out of its order.

Unanimous consent was granted, and—

S. B. No. 1082—A bill to be entitled An Act amending Chapter 30162, Laws of Florida, Acts of 1955, entitled "An Act providing for a prosecuting attorney for Citrus County, Florida; providing for his compensation and repealing Chapter 28803, Laws of Florida, Acts of 1953."

Was taken up.

Senator Connor moved that the rules be waived and Senate Bill No. 1082 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1082 was read the second time by title only.

Senator Connor moved that the rules be further waived and Senate Bill No. 1082 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1082 was read the third time in full.

Upon the passage of Senate Bill No. 1082 the roll was called and the vote was:

Yeas—37.

Mr. President  
Adams  
Beall  
Belser  
Boyd  
Brackin  
Branch  
Bronson  
Carlton  
Carraway

Clarke  
Connor  
Cross  
Davis  
Eaton  
Edwards  
Gautier  
Getzen  
Gibbons  
Gresham

Hair  
Hodges  
Houghton  
Johns  
Kelly  
Kicliter  
Knight  
Melton  
Pearce

Pope  
Price  
Rawls  
Ripley  
Stenstrom  
Stratton  
Sutton  
Tedder

Nays—None.

So Senate Bill No. 1082 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Gibbons moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 1037, still in the possession of the Senate, passed the Senate on May 26, 1959.

S. B. No. 1037—A bill to be entitled An Act amending Section 726.03 Florida Statutes, relating to fraudulent conveyances, providing notice by publication in counties having a population of not less than two hundred thousand (200,000) according to the latest official state-wide decennial census; providing an effective date.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 1037 passed the Senate on May 26, 1959?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which Senate Bill No. 1037 passed the Senate on May 26, 1959.

The question recurred on the passage of Senate Bill No. 1037.

Pending roll call on the passage of Senate Bill No. 1037, by unanimous consent, Senator Gibbons offered the following amendment to Senate Bill No. 1037:

In Section 2, page 2, strike out all of Section 2 and insert in lieu thereof the following:

Section 2. This Act shall take effect June 30, 1959.

Senator Gibbons moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gibbons moved that Senate Bill No. 1037, as amended, be read in full and put upon its passage.

Which was agreed to.

And Senate Bill No. 1037, as amended, was read in full.

Upon call of the roll on the passage of Senate Bill No. 1037, as amended, the vote was:

Yeas—37.

Mr. President  
Adams  
Beall  
Belser  
Boyd  
Brackin  
Branch  
Bronson  
Carlton  
Carraway

Clarke  
Connor  
Cross  
Davis  
Eaton  
Edwards  
Gautier  
Getzen  
Gibbons  
Gresham

Hair  
Hodges  
Houghton  
Johns  
Kelly  
Kicliter  
Knight  
Melton  
Pearce

Pope  
Price  
Rawls  
Ripley  
Stenstrom  
Stratton  
Sutton  
Tedder

Nays—None.

So Senate Bill No. 1037 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Beall requested unanimous consent of the Senate to take up and consider Senate Bill No. 951, out of its order.

Unanimous consent was granted, and—



S. B. No. 951—A bill to be entitled An Act regulating fire, closing out and certain other sales in Escambia County, Florida; requiring the procurement of special licenses for the conduct thereof; and providing for the issuance and renewal of such licenses in said county.

Was taken up.

Senator Beall moved that the rules be waived and Senate Bill No. 951 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 951 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 951 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 951 was read the third time in full.

Upon the passage of Senate Bill No. 951 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So Senate Bill No. 951 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beall requested unanimous consent of the Senate to take up and consider Senate Bill No. 947, out of its order.

Unanimous consent was granted, and—

S. B. No. 947—A bill to be entitled An Act regulating sales or offers to sell at auction jewelry and articles of virtu in all counties in the state having a population of not less than one hundred thousand (100,000), nor more than one hundred fourteen thousand (114,000) inhabitants according to the latest official state-wide decennial census; prescribing rules and regulations governing auctioneers and auction sales of said goods; providing for hours of such sales; providing for the licensing of auctioneers; and providing penalties for violations.

Was taken up.

Senator Beall moved that the rules be waived and Senate Bill No. 947 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 947 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 947 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 947 was read the third time in full.

Upon the passage of Senate Bill No. 947 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton

Branch  
Bronson  
Carlton  
Carraway

Gautier  
Getzen  
Gibbons  
Gresham

Knight  
Melton  
Pearce

Sutton  
Tedder

Nays—None.

So Senate Bill No. 947 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beall requested unanimous consent of the Senate to take up and consider Senate Bill No. 948, out of its order.

Unanimous consent was granted, and—

S. B. No. 948—A bill to be entitled An Act regulating sales or offers to sell at auction in all counties in the state having a population of not less than one hundred thousand (100,000), nor more than one hundred fourteen thousand (114,000) inhabitants according to the latest official state-wide decennial census; prescribing rules and regulations governing auctioneers and auction sales of said goods; providing for the licensing of auctioneers; providing revocation of licenses; providing exceptions; and providing penalties for violations.

Was taken up.

Senator Beall moved that the rules be waived and Senate Bill No. 948 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 948 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 948 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 948 was read the third time in full.

Upon the passage of Senate Bill No. 948 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So Senate Bill No. 948 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beall requested unanimous consent of the Senate to take up and consider Senate Bill No. 990, out of its order.

Unanimous consent was granted, and—

S. B. No. 990—A bill to be entitled An Act relating to Escambia County; providing for the regulation of barber schools and barber colleges; providing for enforcement and penalties for violation; providing an effective date.

Was taken up.

Senator Beall moved that the rules be waived and Senate Bill No. 990 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 990 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 990 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.



And Senate Bill No. 990 was read the third time in full.

Upon the passage of Senate Bill No. 990 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So Senate Bill No. 990 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Hair requested unanimous consent of the Senate to take up and consider House Bill No. 1788, out of its order.

Unanimous consent was granted, and—

H. B. No. 1788—A bill to be entitled An Act relating to Suwannee County; authorizing Board of County Commissioners of Suwannee County to contribute certain annual sum to City of Branford for maintenance of fire prevention equipment; providing an effective date.

Was taken up.

Senator Hair moved that the rules be waived and House Bill No. 1788 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1788 was read the second time by title only.

Senator Hair moved that the rules be further waived and House Bill No. 1788 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1788 was read the third time in full.

Upon the passage of House Bill No. 1788 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So House Bill No. 1788 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### MESSAGES FROM THE GOVERNOR

The following communications from the Governor were received:

STATE OF FLORIDA  
OFFICE OF THE GOVERNOR  
TALLAHASSEE

May 26, 1959

*Honorable Dewey M. Johnson*  
*President of the Senate*  
*Capitol Building*  
*Tallahassee, Florida*

Sir:

I have the honor to inform you that today I have approved the following Acts, which originated in your Honorable Body, Regular Session, 1959, and have caused the same to be filed in the Office of the Secretary of State:

- S. B. NO. 235 RELATING TO LEAF TOBACCO — WAREHOUSE SALES
- C. S. S. B. NO. 253— RELATING TO MENTAL HEALTH — RESTORATION TO COMPETENCY
- S. B. NO. 385 RELATING TO STATE BOARD OF EDUCATION — EXCHANGE OF LANDS IN CITY OF WINTER HAVEN
- S. B. NO. 408 RELATING TO HIGHWAY TRAFFIC REGULATIONS — RAILROAD CROSSINGS
- S. B. NO. 487 RELATING TO MOTOR VEHICLES — TITLE REGISTRATION

Respectfully,

LeRoy Collins  
Governor

STATE OF FLORIDA  
OFFICE OF THE GOVERNOR  
TALLAHASSEE

May 26, 1959

*Honorable Dewey M. Johnson*  
*President of the Senate*  
*Capitol Building*  
*Tallahassee, Florida*

Sir:

I have the honor to inform you that I have today filed in the office of the Secretary of State the following Acts, which originated in your Honorable Body, Regular Session, 1959, same having remained in my office for the full Constitutional period of five days, and will become law without my approval:

- S. B. NO. 348 RELATING TO POLK COUNTY—SECONDARY ROAD FUND — JOSEPH AND CARMELA DICESARE, DAMAGE TO LAND OF
- S. B. NO. 709 RELATING TO CITRUS COUNTY—SUPERINTENDENT OF PUBLIC INSTRUCTION, SALARY

Respectfully,

LeRoy Collins  
Governor

#### VETOED BILLS 1959 REGULAR SESSION

The following message from the Governor was read:

STATE OF FLORIDA  
OFFICE OF THE GOVERNOR  
TALLAHASSEE

May 21, 1959

*Honorable Dewey M. Johnson*  
*President of the Senate*  
*State Capitol*  
*Tallahassee, Florida*

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 351, enacted by the Legislature of 1959, and entitled:

"AN ACT TO AMEND SECTION 104.31 (1), (d), FLORIDA STATUTES, RELATING TO POLITICAL ACTIVITIES OF STATE, COUNTY AND MUNICIPAL EMPLOYEES TO PROVIDE THAT THE POLITICAL ACTIVITIES OF ELECTED OFFICIALS

AND APPOINTED HEADS OR DIRECTORS OF STATE ADMINISTRATIVE AGENCIES SHALL NOT BE LIMITED AND TO FURTHER PROVIDE THAT ONLY THOSE STATE MERIT SYSTEM EMPLOYEES EMPLOYED BY AGENCIES RECEIVING FEDERAL FUNDS SHALL BE PROHIBITED FROM HOLDING PARTY OFFICES OR SERVING ON POLITICAL PARTY EXECUTIVE COMMITTEES."

This bill seeks to exempt certain state, county and municipal employees from present legal restrictions which prohibit them from holding political party office.

The very foundation of good government, and the essence of our State Merit System, is to remove the rank-and-file career public employee from the realm of partisan politics and to place such employment on the basis of individual competence rather than political activity.

This proposal is retrogressive and not progressive.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill No. 351, Regular Session of the Legislature, 1959, and do hereby veto the same.

Respectfully,

LeRoy Collins  
Governor

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 351 (1959 Regular Session) the roll was called and the vote was:

Yeas—28.

Mr. President	Carraway	Gibbons	Melton
Beall	Clarke	Gresham	Pearce
Belser	Connor	Hair	Rawls
Boyd	Cross	Hodges	Ripley
Brackin	Davis	Johns	Stenstrom
Bronson	Gautier	Kieliter	Stratton
Carlton	Getzen	Knight	Tedder

Nays—5.

Adams	Houghton	Pope	Sutton
Eaton			

So Senate Bill No. 351 (1959 Regular Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the Governor was read:

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

TALLAHASSEE

May 20, 1959.

Honorable Dewey M. Johnson  
President of the Senate  
State Capitol  
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 36, enacted by the Legislature of 1959, and entitled:

"AN ACT RELATING TO THE HIGHWAY PATROL, AMENDING CHAPTER 321, FLORIDA STATUTES, BY ADDING SECTION 321.021, PROVIDING FOR THE QUALIFICATIONS OF THE DIRECTOR OF THE STATE DEPARTMENT OF PUBLIC SAFETY; AND PROVIDING AN EFFECTIVE DATE."

This bill would require the director of the Department of Public Safety to have served as a member of the Florida Highway Patrol for a minimum of ten years. Thus, Governors and

Cabinets in the years to come, having the responsibility of filling this position, would have the range of their choice of a Director very narrowly confined.

The Department of Public Safety was created in 1939. Through the years the Highway Patrol has grown to be a great credit to our State. For this reason, especially, I have been concerned about this bill since its introduction, and I have carefully weighed its underlying policy and effect.

I find no justification for the measure in experience. Historically, the directors have not come from the membership of the patrol, and there has been no suggestion that the method of selection has proved faulty. The proposal has not been recommended by the Cabinet or to my knowledge by any member thereof.

It should be clearly understood that this bill is not designed to make eligible for director the members of the highway patrol. Every member is now just as eligible as any other person. The effect of the bill is to make ineligible everyone other than a member of the highway patrol.

In filling public positions, the appointive authority should have broad hunting grounds over which to seek the best qualified person. Experience in the service involved is important and should be a strong plus factor. But it should not be made absolute and controlling, because circumstances well may arise when the public interest would require a different choice.

I am convinced that this bill is not in the best interest of the Highway Patrol itself and is therefore inimical to the public interest.

I firmly believe that if this proposal should become law our Highway Patrol would be weakened, not strengthened. There is no vacancy impending to my knowledge. But with the mere prospect of this measure becoming law, there are already rumors and reports of ambitions, petty jealousies, factions and frictions within the personnel of the Department. The Department to be efficient must be unified in the support of its objectives. There should be no choosing up of sides as to who among the lot should get the mantle when it is passed on. The patrol must continue to have one leader whose position is not weakened by the glitter of a crown prince.

I frankly cannot find any logical argument for the proposed law unless it is a fear that some Governor may insist upon filling the position with an unqualified person. This is the very type of irresponsibility that our cabinet system and the present law are designed to "check and balance." And I have no fear that the cabinet cannot or will not do so.

In selecting a director for the Department of Public Safety there should be but one guiding consideration . . . the most suitable person to administer the department and to serve and protect the public.

Admittedly, at any given time, this person could come from within the Highway Patrol. But it is equally obvious that at any other given time, this person might come from outside the organization.

The State should not handcuff itself in choosing the director of the Department of Public Safety. The choice should be left unfettered and, in turn, the future of the department and the welfare of the State will be unhindered.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill No. 36, Regular Session of the Legislature, 1959, and do hereby veto the same.

Respectfully,

LeRoy Collins,  
Governor

And Senate Bill No. 36 (1959 Regular Session), together with the Governor's objections thereto, contained in the above message, was referred to the Committee on Transportation and Traffic.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendments—

By Senator Rawls—

S. B. No. 229—A bill to be entitled An Act relating to mechanics' lien law; amending Subsection (1) of Section 84.03 and Sections 84.16 and 84.20, Florida Statutes, relating to attaching date, extent, filing and priority of liens; providing a saving clause and fixing an effective date.

Which amendments read as follows:

Amendment No. 1—

In Section 1, following the words "relate to and take" in last sentence insert the word "effect"

Amendment No. 2—

In Section 1, Subsection 1, paragraph 1, following the words "prior to such default," add a new sentence to read: No such default shall be effective under the terms of this act unless and until the owner shall post visible written notice of default upon the location of the improvement in such manner, size and location as to reasonably notify materialmen and subcontractors entering on the property.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 229, contained in the above message, was read by title, together with House Amendments thereto.

Senator Rawls moved that the Senate concur in House Amendment No. 1 to Senate Bill No. 229.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 229.

Senator Rawls moved that the Senate concur in House Amendment No. 2 to Senate Bill No. 229.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 229.

And Senate Bill No. 229, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendment—

By the Committee on Finance and Taxation—

Committee Substitute for S. B. No. 195—A bill to be entitled An Act relating to the issuance and sale of interest bearing certificates of indebtedness by the several counties and the State Road Department to be paid from the surplus gasoline tax funds accruing to said counties and State Road Department under the provisions of Section 16, Article IX, of the State Constitution for the purpose of financing improvements to State highways; making such certificates eligible as investment for public funds and acceptable as collateral to secure State and county fund deposits, and providing an effective date.

Which amendment reads as follows:

In Section 2, line 14, following the words "or for the purpose of refunding certificates theretofore issued, but only upon" strike out the word "consent" and insert the following in lieu thereof: "Resolution"

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Committee Substitute for Senate Bill No. 195, contained in the above message, was read by title, together with House Amendment thereto.

Senator Adams moved that the Senate concur in the House Amendment to Committee Substitute for Senate Bill No. 195.

Which was agreed to and the Senate concurred in the House Amendment to Committee Substitute for Senate Bill No. 195.

And Committee Substitute for Senate Bill No. 195, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 27, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments Nos. 1, 3, 4, 6, 7, 8, 9 and 10 to—

By Messrs. Herrell, Hollahan and Eldredge of Dade—

H. B. No. 1388—A bill to be entitled An Act to confer additional powers upon counties, port districts, port authorities and municipalities in the State of Florida with relation to harbor and port facilities; to authorize and empower such counties, districts, authorities and municipalities to acquire, construct, lease, operate, maintain, mortgage, sell or exchange port facilities; to provide for the financing thereof by issuance of bonds, sale or lease of property or otherwise; to authorize such counties, districts, authorities and municipalities to cooperate with the United States of America or any agency thereof in the dredging or deepening of any harbor, channel or turning basin, and to authorize such counties, districts, authorities and municipalities to do all acts and things and to enter into all contracts and agreements necessary or convenient to carry out such purposes, providing effective date.

—which amendments read as follows:

Amendment No. 1—

In Section 2, lines 4 and 5, page 2, strike out the word: municipality and insert in lieu thereof the following: municipalities, except Duval and Hillsborough counties and any port district, port authority or municipality existing and being solely within said counties.

Amendment No. 3—

In line 19 of the title, page 1, following the word "purposes", insert the following: providing certain exclusions,

Amendment No. 4—

In Subsection (1)(m), line 8, page 6, strike out semicolon (;) and add the following: excluding state bar pilots;

Amendment No. 6—

In Section 3, line 21, page 3, at the end of subparagraph (a) add the following: "provided, however, that no unit shall acquire, construct, lease, operate or maintain such port facilities in any county of the State of Florida other than the county in which such unit is located without securing the prior approval or consent of the unit or units in which such

port facilities are proposed to be located, which approval or consent, if given, shall be evidenced by a resolution or ordinance duly adopted."

**Amendment No. 7—**

In Section 4, line 13, page 7, following the words: "Except as hereinafter provided in this Section," insert the following: "and except as provided in subparagraph (a) of Section 3 hereof,".

**Amendment No. 8—**

In Section 6, line 12, page 10, strike out all of Subsection (3).

**Amendment No. 9—**

In Section 6, line 14, page 10, strike out Subsection (4) beginning with the words "any money received" through the words "due and payable." on page 11, line 10.

—and insert in lieu thereof the following: (3) any money received by the unit from the United States of America or any agency or instrumentality thereof in connection with any port facilities or in repayment of any advances made by the unit for all or any part of the cost of any port facilities. The governing body may provide that such bonds shall be general obligations of the unit for which the full faith, credit and taxing power of the unit shall be additionally secured by a pledge of revenues, sale or lease proceeds or money received by the unit from the United States of America or any agency or instrumentality thereof as herein authorized. The governing body of such unit may provide that such bonds shall be payable as to principal and interest in the first instance from such revenues, sale or lease proceeds or money received by the unit from the United States of America or any agency or instrumentality.

**Amendment No. 10—**

In Section 8, pages 12 and 13, strike out all of Section 8, and renumber following sections accordingly.

—and the House of Representatives has refused to concur in Senate Amendments Nos. 2 and 5, which amendments read as follows:

**Amendment No. 2—**

In Section 6, lines 18, 19 and 20, page 10, strike out the words: (3) ad valorem taxes, if the unit is authorized by law to levy ad valorem taxes; and (4) and insert in lieu thereof the following: and (3)

**Amendment No. 5—**

In Section 2, page 2, after the word "Duval" insert the following: Lee, Collier

And respectfully requests the Senate to recede therefrom.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1388, contained in the above message, was read by title, together with Senate Amendments thereto.

Senator Gibbons moved that the Senate recede from Senate Amendment No. 2 to House Bill No. 1388.

Which was agreed to and the Senate receded from Senate Amendment No. 2 to House Bill No. 1388.

Senator Gresham moved that the Senate recede from Senate Amendment No. 5 to House Bill No. 1388.

Which was agreed to and the Senate receded from Senate Amendment No. 5 to House Bill No. 1388.

And the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 27, 1959.

The Honorable Dewey M. Johnson,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has refused to concur in Senate Amendment to House Amendment No. 1 to—

By Senator Edwards—

S. B. No. 242—A bill to be entitled An Act relating to textbooks; amending Sections 233.01, Subsection (5) of Section 233.03, Section 233.04, 233.05, 233.06, 233.07, 233.08, 233.09, 233.10, 233.11, 233.14, Subsection (1) of Section 233.16, 233.17, 233.25, 233.34, 233.39, Subsection (1) of Section 233.43, Florida Statutes; amending Section 233.43, Florida Statutes, by adding thereto a new Subsection (14); repealing Subsection (6) of Section 233.03, and Section 233.26, Florida Statutes, by including three (3) lay citizens on the courses of study committee; altering date for submission and transmission of and action on report of courses of study committee; removing requirement that courses of study committee recommend library books; changing name of textbook rating committee and putting two (2) lay citizens thereon; changing certain procedures of textbook committee; providing for selection of up to three (3) textbooks for each grade and subject field, except that five (5) may be chosen in field of reading in elementary school; changing dates for advertising for and receiving bids on textbooks; extending minimum contractual period from three (3) to five (5) years; prohibiting use of textbook funds for library books; providing procedures for repair and renovation and removing the limitation of one-third (1/3) of replacement cost; requiring County Superintendents to evaluate textbooks; declaring legislative intent.

Which amendments read as follows:

**House Amendment No. 1—**

In Section 9, Subsection 5, Paragraph b, following the words "desirable textbooks" strike out: period (.) and insert semicolon and the following:

"It being hereby declared that it be the legislative intent that material in textbooks used in elementary and secondary schools of this state shall not editorialize or propagandize communistic philosophy or other principles inimical to our form of constitutional government, and persons charged with the selection of textbooks should use their best efforts to carry out such legislative intent to effectuate the use of materials which provide all students with the traditional ideals and basic concepts of American democracy."

**Senate Amendment to House Amendment No. 1—**

At the end of House Amendment No. 1, add the following:

"No textbook or related instructional aid thereto shall be included in the list of suitable, usable and desirable textbooks which presents, either directly or indirectly, Communism, Socialism, Fascism, One-World Government, World Citizenship, or any other similar ideology as preferable to the system of constitutional government and the free-enterprise economic system of the United States of America.

—and has receded from House Amendment No. 3, which amendment reads as follows:

In Section 10, Paragraph 1, following the words "is amended to read" strike out: the entire paragraph and insert the following in lieu thereof: "233.10 Meetings and findings of committee public.—The meetings and findings of the committee, including the grading and rating of textbooks, shall be in sessions open to the public. The date and place of such sessions shall be released to the press for publication not less than ten days prior to such sessions."

—and respectfully requests the Senate to recede from Senate Amendment to House Amendment No. 1. In the event the Senate refuses to recede, the House of Representatives requests the President of the Senate to appoint a Conference Committee on the part of the Senate to confer with a like Committee to be appointed by the Speaker of the House of Representatives to adjust the differences existing between the two Bodies on Senate Amendment to House Amendment No. 1 to Senate Bill No. 242.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 242, contained in the above message, was read by title, together with House and Senate Amendments thereto.

Senator Hodges moved that the Senate recede from the Senate Amendment to House Amendment No. 1 to Senate Bill No. 242.

Which was agreed to and the Senate receded from the Senate Amendment to House Amendment No. 1 to Senate Bill No. 242.

Senator Edwards moved that the Senate concur in House Amendment No. 1 to Senate Bill No. 242, after receding from the Senate Amendment thereto.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 242.

The Senate having concurred in House Amendments Nos. 2 and 4 to Senate Bill No. 242 on May 21, 1959, Senate Bill No. 242, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 27, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith—

By Senators Price, Gibbons, Houghton and Gresham—

Senate Memorial No. 962:

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO PROVIDE SUFFICIENT FUNDS FOR COMMENCEMENT OF CONSTRUCTION OF THE WEST COAST INTRACOASTAL WATERWAY FROM THE CALOOSAHATCHEE RIVER TO THE ANCLOTE RIVER, FLORIDA, AT THE EARLIEST POSSIBLE TIME.

WHEREAS, The Florida Legislature has heretofore created the West Coast Inland Navigation District by legislative action in 1947, which legislative authority has been from time to time amended, and

WHEREAS, Congress has heretofore authorized this project and did in the last Congress appropriate one hundred thirty-five thousand dollars (\$135,000.00) for advance planning and engineering, and

WHEREAS, The Corps of Engineers of the U. S. Army has reported that it will be able to economically use one million four hundred thousand dollars (\$1,400,000.00) for immediate commencement of construction, and

WHEREAS, Studies have indicated that the project is economically feasible and is in the best interest of the citizens and taxpayers of the particular area involved and of the State of Florida in general and of commerce generally in the United States and further justified on the basis of national defense needs in having an inland waterway connecting the great Port of Tampa to the already established waterway system of the Eastern United States, and

WHEREAS, Local interests have raised more than one million five hundred thousand dollars (\$1,500,000) in local taxes to meet local commitments and now stand ready and able to carry out requirements for local interests, the taxing authority of the West Coast Inland Navigation District for an additional ten years to insure full cooperation and participation by local interests in the completion of this great project, NOW, THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the Congress of the United States be and it is hereby requested to provide at the earliest possible time one million

four hundred thousand dollars (\$1,400,000.00) as found by the Corps of Engineers of the United States Army may be economically expended at this time for commencement of construction of the West Coast Intracoastal Waterway from the termination of the existing cross Florida waterway at the mouth of the Caloosahatchee River, to the Anclote River, Florida, during the next fiscal year and that such funds be provided from time to time thereafter as may be needed to pursue this project expeditiously to completion.

BE IT FURTHER RESOLVED, That copies of this memorial be dispatched to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to each of the ablest congressional delegations in the United States Congress, the Florida delegation; to the Chief of Engineers, Corps of Engineers, Washington, D. C., and to the Governor of the great State of Florida.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Senator Price moved that Senate Memorial No. 962, contained in the above message, be returned to the House of Representatives without further action.

Which was agreed to and Senate Memorial No. 962 was ordered returned to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 25, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present on May 25, 1959, the Governor's objections to the contrary notwithstanding—

By Messrs. Papy and Cunningham of Monroe—

H. B. No. 1051—(1959 Session) An Act relating to dedications and conveyances of lands or waters for public purposes in Monroe County, Florida; requiring acceptance and approval by resolutions of Boards of County Commissioners and public instruction and municipal governing bodies in certain cases; requiring certain evidence of acceptance of approval; providing that acceptance and approval may be subject to conditions; providing that this Act shall not apply in certain cases; repealing all laws and parts of laws, whether general, special or local, in conflict with this Act to the extent of such conflict; and providing when said Act shall take effect.

Proof of publication attached.

The Governor's objections attached thereto as follows:

STATE OF FLORIDA  
OFFICE OF THE GOVERNOR  
TALLAHASSEE

May 21, 1959.

*Honorable Thomas D. Beasley  
Speaker, House of Representatives  
State Capitol  
Tallahassee, Florida*

Dear Mr. Speaker:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, House Bill No. 1051, enacted by the Legislature, regular session, 1959, and entitled:

"AN ACT RELATING TO DEDICATIONS AND CONVEYANCES OF LANDS OR WATERS FOR PUBLIC PURPOSES IN MONROE COUNTY, FLORIDA; RE-

QUIRING ACCEPTANCE AND APPROVAL BY RESOLUTIONS OF BOARDS OF COUNTY COMMISSIONERS AND PUBLIC INSTRUCTION AND MUNICIPAL GOVERNING BODIES IN CERTAIN CASES; REQUIRING CERTAIN EVIDENCE OF ACCEPTANCE OF APPROVAL; PROVIDING THAT ACCEPTANCE AND APPROVAL MAY BE SUBJECT TO CONDITIONS; PROVIDING THAT THIS ACT SHALL NOT APPLY IN CERTAIN CASES; REPEALING ALL LAWS AND PARTS OF LAWS, WHETHER GENERAL, SPECIAL OR LOCAL, IN CONFLICT WITH THIS ACT TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING WHEN SAID ACT SHALL TAKE EFFECT."

Section 1 of the act makes ineffective any dedication of land or water in Monroe County "for any public purpose whatsoever" or a conveyance for such purpose until such shall have been accepted and approved by: (1) a resolution of the Board of County Commissioners if without the corporate limits of municipalities; or (2) a resolution of a municipality if within a municipality; or (3) if a school site is involved, by the Board of Public Instruction of Monroe County, depending upon where the land lies.

Section 2 requires evidence of acceptance and approval to be attached to the instrument of dedication if convenient, but, if not, by a separate instrument which shall be executed by the proper public official, as the case may be, depending upon where the land lies.

This act places wholly unreasonable, and I think obviously unconstitutional, restrictions upon the rights of individuals and public agencies to dedicate or convey for public purposes land or water property situated in Monroe County.

The right of individuals to acquire, use and dispose of property for lawful purposes is fundamental to our system of government and to the Constitution of the United States and the State of Florida. Only the most serious considerations of the health, safety, morals or general welfare of the public could conceivably justify impairment of this right. No such reason appears implicitly or explicitly in House Bill 1051.

For the foregoing reason, I, therefore, withhold my approval from House Bill No. 1051, Regular Session of the Legislature, 1959, and do hereby veto the same.

Respectfully,

LeRoy Collins,  
Governor

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of House Bill No. 1051 (1959 Regular Session) the roll was called and the vote was:

Yeas—29.

Mr. President	Carraway	Gibbons	Pearce
Adams	Clarke	Gresham	Rawls
Beall	Connor	Hair	Ripley
Belser	Cross	Hodges	Stratton
Boyd	Davis	Johns	Tedder
Brackin	Edwards	Kelly	
Branch	Gautier	Knight	
Bronson	Getzen	Melton	

Nays—8.

Carlton	Houghton	Pope	Stenstrom
Eaton	Kiclitter	Price	Sutton

So House Bill No. 1051 (1959 Regular Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 25, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present on May 25, 1959, the Governor's objections to the contrary notwithstanding—

By Messrs. Papy and Cunningham of Monroe—

H. B. No. 1247—(1959 Session)—An Act terminating and cancelling the understanding and agreement of the grantee set forth in that certain deed between overseas road and toll bridge district, a political subdivision of the State of Florida, as grantor, and Monroe County, Florida, a political subdivision of the State of Florida, as grantee, dated September 4th, 1954, and recorded in official record 15, on pages 374 to 376, inclusive, of the public records of Monroe County, Florida, whereby said grantee agreed and bound itself to maintain for public parking areas, parkways and/or parks part of the lands conveyed by said deed; and providing when said act shall take effect.

Proof of publication attached.

The Governor's objections attached thereto as follows:

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

TALLAHASSEE

May 23, 1959

*Honorable Thomas D. Beasley*  
*Speaker, House of Representatives*  
*State Capitol*  
*Tallahassee, Florida*

Dear Mr. Speaker:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, the Constitution of this State, I hereby transmit to you, with my objections, House Bill No. 1247, enacted by the Legislature of 1959, and entitled:

"AN ACT TERMINATING AND CANCELLING THE UNDERSTANDING AND AGREEMENT OF THE GRANTEE SET FORTH IN THAT CERTAIN DEED BETWEEN OVERSEAS ROAD AND TOLL BRIDGE DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AS GRANTOR, AND MONROE COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AS GRANTEE, DATED SEPTEMBER 4TH, 1954, AND RECORDED IN OFFICIAL RECORD 15, ON PAGES 374 TO 376, INCLUSIVE, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, WHEREBY SAID GRANTEE AGREED AND BOUND ITSELF TO MAINTAIN FOR PUBLIC PARKING AREAS, PARKWAYS AND/OR PARKS PART OF THE LANDS CONVEYED BY SAID DEED; AND PROVIDING WHEN SAID ACT SHALL TAKE EFFECT."

It appears from the provisions of the deed of conveyance contained in this bill that Monroe County obtained title to nine or more separate parcels of land upon the specific condition that it would maintain and utilize the same for public use and benefit unless otherwise later provided by law. The effect of the bill, therefore, is to relieve the county of these obligations and make the tracts available for non-public use or disposition.

While geographically Monroe County is isolated, it is a most important and beautiful part of this great state. The preservation of certain areas for present and ultimate public use and benefit is perhaps more essential there than in most other areas of the state, because of the extremely limited amount

of land available and the current enormous pressures for private exploitation.

I feel as Governor a strong sense of obligation that we carefully safeguard and hold in public ownership all lands where there is a need, present or potential, for public use. Otherwise, the growth we have encouraged with such enthusiasm will blight rather than brighten our future.

This act was passed as a local bill and under customary procedures the members of the Legislature were probably not made aware of its purpose or effect. Notice of intention to introduce was published in Key West, and in all candor I have received no protests from local citizens.

For the foregoing reasons, nevertheless, I withhold my approval from House Bill No. 1247, Regular Session of the Legislature, 1959, and do hereby veto the same.

Respectfully,

LeRoy Collins  
Governor

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

The President put the question, "Shall the Bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of House Bill No. 1247 (1959 Regular Session) the roll was called and the vote was:

Yeas—24.

Mr. President	Bronson	Gibbons	Knight
Adams	Carraway	Gresham	Melton
Beall	Clarke	Hair	Pearce
Belser	Connor	Hodges	Rawls
Brackin	Davis	Johns	Ripley
Branch	Edwards	Kelly	Stratton

Nays—13.

Boyd	Gautier	Pope	Sutton
Carlton	Getzen	Price	Tedder
Cross	Houghton	Stenstrom	
Eaton	Kicliter		

So House Bill No. 1247 (1959 Regular Session) failed to pass over the Governor's veto by the required Constitutional two-thirds vote of all members present, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 27, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith—

By Senator Brackin—

S. B. No. 754—A bill to be entitled An Act relating to the taking of shrimp by trawling in all counties in the State having a population of not less than twenty-seven thousand (27,000) nor more than twenty-eight thousand (28,000) inhabitants according to the latest official state-wide decennial census, in certain waters within said counties, providing an effective date.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Senator Brackin moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 754 passed the Senate on May 15, 1959.

The President put the question: "Will the Senate recon-

sider the vote by which Senate Bill No. 754 passed the Senate on May 15, 1959?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which Senate Bill No. 754 passed the Senate on May 15, 1959.

The question recurred on the passage of Senate Bill No. 754.

Pending roll call on the passage of Senate Bill No. 754, by unanimous consent, Senator Brackin offered the following amendment to Senate Bill No. 754:

In Section 1, strike out the entire section and insert in lieu thereof the following: "Section 1. It shall be unlawful to take shrimp by trawling in the waters hereinafter specified in any county having a population of not less than twenty-seven thousand (27,000) nor more than Twenty-eight thousand (28,000) inhabitants according to the latest official state-wide decennial census, to-wit: Those parts of Five Mile bayou west of the bridge on State Road 85 crossing said bayou, and those parts of Nigger bayou, Don's bayou, Little bayou and Garnier bayou, lying north of the bridge crossing Garnier bayou on State Road 85, provided no trawl may be used in any parts of Choctawhatchee bay when the whole lead line measures more than thirty-five (35) feet."

Senator Brackin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Brackin moved that Senate Bill No. 754, as amended, be read in full and put upon its passage.

Which was agreed to.

And Senate Bill No. 754, as amended, was read in full.

Upon call of the roll on the passage of Senate Bill No. 754, as amended, the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So Senate Bill No. 754 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

By Mr. Whitaker of Hillsborough—

H. M. NO. 1789—A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO PROVIDE THAT A STATE PLAN FOR OLD AGE ASSISTANCE MAY BE ADMINISTERED SO THAT THE STATE AGENCY SHALL, IN DETERMINING THE NEED, TAKE INTO CONSIDERATION ANY OTHER INCOME AND RESOURCES OF AN INDIVIDUAL CLAIMING OLD AGE ASSISTANCE; EXCEPT THAT THE STATE AGENCY MAY, IN MAKING SUCH DETERMINATION, DISREGARD NOT TO EXCEED \$50.00 PER MONTH OF EARNED INCOME.

WHEREAS, The Florida Legislature has heretofore enacted into law, Section 409.162, Florida Statutes, 1957, to provide that any persons receiving old age assistance under Section 409.16, Florida Statutes as amended in 1957, could earn up



to \$50.00 per month without causing his or her monthly payments for old age assistance to be reduced because of such added income, and

WHEREAS, Section 409.162, Florida Statutes, 1957, cannot become effective until Congress amends the Federal Law which now prohibits a recipient of old age assistance from earning additional income, and

WHEREAS, The Federal Congress has previously amended the Federal Law to allow recipients of Aid to the Blind to earn up to \$50.00 per month without the recipient's assistance from the Aid to the Blind being reduced because of such added income by the enactment of Title 42, Section 1202, (a) (8) U. S. Code Annotated, and

WHEREAS, The needs of recipients of old age assistance are equal to and are as great as the needs of the recipients of Aid to the Blind, and

WHEREAS, countless thousands of recipients of old age assistance are presently unable, because of rising costs of living and other factors, to subsist on a decent human standard of living on their assistance from old age assistance without additional income, NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the Congress of the United States be and it is hereby requested to amend the Federal Law at the earliest possible time to provide that the state agency, in determining the need of recipients of old age assistance, shall take into consideration any other income and resources of an individual claiming old age assistance; except that the state agency may, in making such determination, disregard not to exceed \$50.00 per month of earned income.

BE IT FURTHER RESOLVED:

That copies of this Memorial be dispatched to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to each of the ablest congressional delegations in the United States Congress, the Florida Delegation; the Department of Health, Education, and Welfare, Washington, D. C., and to the Governor of the great State of Florida.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Memorial No. 1789, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments and Governmental Reorganization.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Turlington of Alachua and Conner of Bradford—  
(By Request)—

H. B. No. 1122—A bill to be entitled An Act relating to the investment of trust, retirement or other funds of all kinds which are subject to investment and administered by the State Board of Administration in those types of investments which by the Laws of Florida fiduciaries are authorized to invest in and providing limitations and regulations relating to such investments; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1122, contained in the above message, was read the first time by title only and referred to the Committee on Banking.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Public Roads and Highways—

H. B. No. 1801—A bill to be entitled An Act to declare, designate and establish state roads in Volusia County, Florida; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1801, contained in the above message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Cleveland and Frederick of Seminole and Mr. Inman and Mrs. Johnson of Orange—

H. B. No. 1790—A bill to be entitled An Act to designate a road as the Sanlando Springs Drive in Seminole and Orange Counties; providing for markers; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1790, contained in the above message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Mitchell and Horne of Leon—

H. B. No. 1196—A bill to be entitled An Act relating to private employment agencies; amending Section 449.13, Florida Statutes; providing procedure and jurisdiction for review of orders revoking or suspending licenses or assessing civil penalties; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1196, contained in the above message, was read the first time by title only and referred to the Committee on Labor and Industry.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1959 Session of the Florida Legislature—

By Mr. Russ of Wakulla—

H. B. No. 1186—A bill to be entitled An Act for the relief of Sam Rhodes, a resident of Tallahassee, Leon County, making an appropriation to compensate him for injuries and damages sustained by him by reason of the negligent operation of a bridge by the State Road Department and providing for the payment of same; providing effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1186, contained in the above message, was read the first time by title only and referred to the Committee on Pensions and Claims.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Costin of Gulf—

H. B. No. 1798—A bill to be entitled An Act relating to the sheriff in each county having a population of not less than seven thousand (7,000) and not more than seven thousand eight hundred (7,800) according to the latest state-wide decennial census; fixing the compensation of the sheriff; providing an effective date.

Also—

By Mr. Russ of Wakulla—(By Request)—

H. B. No. 1821—A bill to be entitled An Act relating to use of certain types of fishing equipment on the St. Marks River in counties having a population of not less than four thousand five hundred (4,500) and not more than five thousand five hundred (5,500) according to the latest official state-wide decennial census.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1798, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 1821, contained in the above message, was read the first time by title only and referred to the Committee on Game and Fisheries.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Knowles and Boyd of Manatee and Boylston and Edmondson of Sarasota—

H. B. No. 1856—A bill to be entitled An Act relating to the Sarasota-Manatee Airport Authority; authorizing the issuance of a beverage license to the authority; providing that such beverage license shall be issued upon the filing of a proper application therefor as provided by law, and the payment by the applicant of the usual license fees as provided in Section 561.34, Florida Statutes; providing that such beverage license shall be transferable only to the lessee of the space allotted for a restaurant and cocktail lounge in the airline terminal or administration building at the airport operated by said Sarasota-Manatee Airport Authority and which lessee shall operate a business under such license; and providing that such beverage license shall be for the same term and subject to the provisions of the beverage law of Florida; providing an effective date.

Proof of publication attached.

Also—

By Messrs. Boylston and Edmondson of Sarasota—

H. B. No. 1859—A bill to be entitled An Act relating to Sarasota County; amending Sections 3, 8, 10, 13 and 14, Chapter 26468, Laws of 1949, as amended by Chapter 27888, Special Acts of 1951, as amended by Chapter 31262, Special Acts of 1955, as amended by Chapter 57-1838, Special Acts of Florida 1957, which act established Sarasota County public hospital board; changing the term administrator to director; defining the term mill; providing for the certification monthly by the hospital board to the board of county commissioners of Sarasota County, of list of medically indigent persons with hospital charges for each and providing for payment by said board of county commissioners for hospital services and care for the medically indigent persons to the hospital board; defining the term medically indigent person; providing for the reimbursement of certain other hospitals in Sarasota County, by the board of county commissioners of Sarasota County, for hospital services rendered therein to medically indigent persons; deleting the provision that any hospital created under the act shall be for the benefit of certain persons who are not inhabitants of Sarasota County, Florida, who become sick or maimed within the county of Sarasota, Florida; providing for the destruction of records of the hospital board and hospitals owned and operated by the hospital board after the records have been photographed or micro-filmed.

Proof of publication attached.

Also—

By Mr. Askins of Nassau—

H. B. No. 1860—A bill to be entitled An Act relating to Nassau County, Florida; amending Section 1 of Chapter 26046, special laws of 1949, providing that the Nassau General Hospital in Nassau County be renamed the Humphreys Memorial Hospital.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1856 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1856, contained in the above message, was read the first time by title only and referred to the Committee on Temperance.

Proof of publication of Notice was attached to House Bill No. 1859 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1859, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1860 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1860, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Roberts and Blank of Palm Beach—

H. B. No. 1879—A bill to be entitled An Act to amend Chapter 31120, Laws of Florida, Special Acts of 1955, entitled: "An Act authorizing and empowering the board of county commissioners of Palm Beach County to make improvements on any and all streets, highways, boulevards, avenues, lanes and alleys within subdivisions when said streets, highways, boulevards, avenues, lanes and alleys have been accepted as county roads, including any and all improvements incidental to road purposes under certain terms and conditions; providing for the assessment by special assessments of abutting, adjoining and contiguous or other specially benefited property; providing the method of making said assessments; providing for the approval by petition of seventy-five per cent (75%) of said abutting owners both in number and front footage; providing the method of authorizing and providing said improvements; providing the procedure available to owners affected or to be affected by said improvements or the assessment therefor; providing said assessments shall become a lien against said abutting property or against property benefited; providing for the enforcement of said liens; and providing other powers and duties of the board of county commissioners relative to making of said improvements and assessing said property therefor; providing for the levy of a tax not to exceed one (1) mill annually to set up sufficient funds for the purposes of this Act" in the following respects: (1) to amend Section two to provide for improvements whether within subdivisions or not; (2) to amend Section three so as to reduce the required percentage of owners in number and front footage of lands liable to be assessed from seventy-five per cent (75%) to sixty per cent (60%); (3) by adding two new Sections thereto to be designated as Sections 10A and 10B, respectively, authorizing the board of county commissioners, as an alternate method of financing such local improvements, to deposit special assessment liens or the proceeds thereof in a special fund and issue improvement certificates payable from said special fund; providing an effective date.

Proof of publication attached.

Also—

By Messrs. Blank and Roberts of Palm Beach—

H. B. No. 1880—A bill to be entitled An Act relating to the Town of Manalapan, Florida, created by Chapter 15684, Laws of Florida, Acts of 1931, and subsequent supplemental and amendatory acts, providing for the repeal of Article III of said Act, as amended, and the revision and re-enactment of said Article III by: limiting the membership of the town commission to three (3) members; creating three (3) election districts in the town; providing that any person owning property in the town shall be a qualified elector; empowering the town commission to prescribe rules and regulations governing the conduct of elections and to establish a registration system for voting; providing for the qualification of candidates; providing that each elector shall vote only for a candidate for the town commission qualified in the election district in which the elector resides or owns property; and re-enacting other provisions of Article III of Chapter 15684, Laws of Florida, Acts of 1931; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1879 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1879, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1880 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1880, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Boylston and Edmondson of Sarasota—

H. B. No. 1853—A bill to be entitled An Act relating to Sarasota County; authorizing the Board of County Commissioners to establish traffic, parking and speed regulations on county roads and place control devices thereon; authorizing said board to appoint a traffic advisory committee, and providing for its membership and expenses; providing that violation of said regulations shall constitute a misdemeanor and prescribing the punishment therefor; and providing an effective date.

Proof of publication attached.

Also—

By Messrs. Westberry, Mathews and Stallings of Duval—

H. B. No. 1854—A bill to be entitled An Act establishing Section 3(a) and amending Sections 45, 49, 54, 57, 63 and 98 of Chapter 18623, Laws of Florida, Special Acts of 1957, being "An Act relating to the government of the City of Jacksonville Beach and prescribing the jurisdiction, powers, duties and functions of the City of Jacksonville Beach and all its officers and prescribing a system of taxation for said city and repealing pre-existing laws relating to the government there-

of," as heretofore amended by Chapter 19915, Laws of Florida, Special Acts of 1939, and by Chapter 23372, Laws of Florida, Special Acts of 1945, and by Chapter 24627, Laws of Florida, Special Acts of 1947, and by Chapter 25940, Laws of Florida, Special Acts of 1949, and by Chapters 29186 and 29187, Laws of Florida, Special Acts of 1953, and by Chapter 30888, Laws of Florida, Special Acts of 1955, and by Chapter 57-1457, Laws of Florida, Special Acts of 1957; increasing the salary of the mayor and city council, changing the term of office of the city attorney and municipal judge, increasing the expenditures and contract limits without bid, authorizing the signing of city checks, vouchers and warrants by the city manager and city clerk and requiring notice to the city of damage suits, providing an effective date.

Proof of publication attached.

Also—

By Messrs. Knowles and Boyd of Manatee and Boylston and Edmondson of Sarasota—

H. B. No. 1855—A bill to be entitled An Act relating to the Sarasota-Manatee Airport Authority; amending Section 4 of Chapter 31263, Special Laws of 1955, as amended by subsequent amendatory acts, by adding a new Subsection (r) to said section, providing for the conferring of additional powers on said airport authority with regard to the promulgation and enforcement of airport zoning regulations; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1853 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1853, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1854 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1854, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1855 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1855, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Boylston and Edmondson of Sarasota—

H. B. No. 1862—A bill to be entitled An Act relating to Sarasota County; requiring the board of county commissioners of Sarasota County to pay three thousand dollars (\$3,000.00) in supplemental salary to all circuit judges residing in Sarasota

County, to be paid in monthly installments; repealing Section 1 of Chapter 57-1029, Laws of Florida, 1957; providing an effective date.

Proof of publication attached.

Also—

By Mr. Vocelle of Indian River—

H. B. No. 1865—A bill to be entitled An Act providing that no hamlet, village, town, city or municipal corporation or government shall be established in Indian River County within two (2) miles of the corporate limits of another hamlet, village, town, city or municipal corporation or government now or hereafter existing regardless of the provisions of any general, special or local laws to the contrary and repealing all laws in conflict herewith and providing effective date.

Proof of publication attached.

Also—

By Mr. Askins of Nassau—

H. B. No. 1866—A bill to be entitled An Act relating to Nassau county; amending Section 6 of Chapter 21228, Special Laws of 1941, relating to the duties of the secretary and treasurer of the Nassau general hospital; providing the compensation for all members of the board of trustees of the Nassau general hospital in Nassau county.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1862 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1862, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1865 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1865, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1866 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1866, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Askins of Nassau—

H. B. No. 1867—A bill to be entitled An Act relating to Nassau County, Florida; authorizing board of trustees of the Nassau General Hospital to obtain group insurance on hos-

pital employees; providing for the amount to be paid by said board for such insurance.

Proof of publication attached.

Also—

By Messrs. Griffin, Mattox and Chiles of Polk—

H. B. No. 1868—A bill to be entitled An Act to amend Chapter 8955, Laws of Florida, Special Acts of 1921, entitled: "An Act to abolish the present municipal government of the town of Frostproof in the county of Polk and State of Florida, and to establish, organize and constitute a municipality and municipal government, to be named and designated as the town of Frostproof; to define its territorial boundaries; to provide for its jurisdiction, powers and privileges and for the exercise of the same and to authorize the imposition of penalties for violation of its ordinances;" said amendment relating to issuance, sale, recording and redemption of town of Frostproof tax certificates and issuance of tax deeds based thereon; providing an effective date.

Proof of publication attached.

Also—

By Mr. Sheppard of Lee—

H. B. No. 1869—A bill to be entitled An Act providing for the establishment and maintenance of a county law library in the county courthouse of Lee County; providing for creation of law library fund; providing for a board of trustees to make rules and regulations governing said library, providing for method of appointment and term of said trustees; providing for method of maintenance and administration; declaring law library to be a county purpose; authorizing board of county commissioners to make annual appropriations to library fund; repealing Chapter 31445, Acts of 1955-6; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1867 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1867, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1868 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1868, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1869 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1869, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Pruitt of Brevard—

H. B. No. 1838—A bill to be entitled An Act relating to transportation to public schools in all counties having a population of not less than twenty-three thousand six hundred twenty (23,620) and not more than twenty-four thousand (24,000) according to the last federal census; providing that in such counties school boards may assess and collect fees for transportation of pupils living less than two miles from school; reserving certain rights to school boards; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1838, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Mann, Liles and Whitaker of Hillsborough—

H. B. No. 1832—A bill to be entitled An Act relating to small claims court in counties in the state having a population of not less than one hundred eighty thousand (180,000) nor more than two hundred fifty thousand (250,000) inhabitants according to the latest official state-wide decennial census; amending Section 1 of Chapter 27256, Laws of 1951, extending the jurisdiction of said small claims court in said counties.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1832, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Scott of Martin—

H. B. No. 1831—A bill to be entitled An Act relating to the board of county commissioners in counties in the state having a population of not less than seven thousand five hundred (7,500) nor more than seven thousand nine hundred (7,900) inhabitants according to the latest official state-wide decennial census, authorizing said board of county commissioners to raise the salaries of members of the board of county commissioners.

Also—

By Messrs. Mann, Liles and Whitaker of Hillsborough—

H. B. No. 1833—A bill to be entitled An Act relating to the creation of a county welfare board of each county having a population of over one hundred thousand (100,000); amending Sections 3, 4 and 6 of Chapter 9274, Laws of 1923, as amended, by providing that in counties having a population of not less than two hundred thousand (200,000) and not more than three hundred thousand (300,000) inhabitants according to the latest official state-wide decennial census, the Board of County Commissioners shall determine the type of financial obligation which persons shall enter into to obtain hospital and clinic services and the method of enforcement of such financial obligation; providing that the Welfare Board shall submit its annual budget to the Board of County Commissioners for its approval; providing for the levy of a tax upon the real and personal property of said counties to be determined by the Board of County Commissioners to effectuate this Act; repealing laws in conflict; and providing an effective date.

Also—

By Messrs. Knowles and Boyd of Manatee—

H. B. No. 1835—A bill to be entitled An Act relating to all counties having a population of more than 34,650 and less than 36,000 according to the last federal census; providing for annual salaries and expenses for the prosecuting attorney in the county court in all such counties; providing from which fund salaries and expenses to be paid; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bills Nos. 1831, 1833 and 1835, contained in the above message, were read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 26, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Pruitt of Brevard—

H. B. No. 1870—A bill to be entitled An Act relating to Brevard County; amending Subsection (2) of Section 8, Chapter 57-1162, Laws of Florida, 1957, by adding thereto a provision for compensation of members of the Board of Adjustment; amending Section 7, Chapter 57-1162, Laws of Florida, 1957, by adding thereto a new Subsection (5) providing for compensation of members of the Zoning Board; providing for repeal of conflicting laws; and providing for an effective date.

Proof of publication attached.

Also—

By Mr. Swceny of Volusia—

H. B. No. 1871—A bill to be entitled An Act providing for the amendment of Chapter 22,364, Laws of Florida, Special Acts of 1943, as amended, including the amendment of Sections 10, 12, 31, 43, 45 and 93 thereof so as to provide for certain deletions and additions to the government, jurisdiction, powers, franchises and privileges of the City of Lake Helen, and of its officers, said chapter as amended being the city charter of the City of Lake Helen, Florida; and by amendment to said act by providing additional powers to said city; providing that the city is empowered to combine its utilities; prohibiting purchases in excess of \$500.00 without bids; giving power and authority of said city to pledge the revenues and funds derived from the city's utilities, taxes, and other sources, as collateral for the issuance of revenue certificates to evidence indebtedness of the city expended for municipal im-

provements; providing for funds to be expended for membership dues for the levy and assessment of franchise taxes; repealing all laws in conflict therewith; providing an effective date.

Proof of publication attached.

Also—

By Mr. Costin of Gulf—

H. B. No. 1873—A bill to be entitled An Act relating to the City of Port St. Joe; authorizing the City of Port St. Joe to abate certain nuisances, including weeds, grass or underbrush, upon property within the city, to assess the costs and expenses of such abatement, and issue lien certificates therefor against the property on which such nuisances exist, to foreclose such liens and to recover the costs and attorney's fees in foreclosure proceedings brought therefor; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 1870 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1870, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1871 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1871, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 1873 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 1873, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

#### MOTION TO RECONSIDER

The motion made by Senator Pope on May 26, 1959, that the Senate reconsider the vote by which House Bill No. 192, as amended, passed the Senate on May 26, 1959, was taken up.

H. B. No. 192—A bill to be entitled An Act relating to homestead abandonment: amending Chapter 192 Florida Statutes, by adding new section to be numbered Section 192.141; providing that the rental of an entire dwelling previously claimed to be a homestead is an abandonment of such dwelling as a homestead; providing certain exemptions; and providing an effective date.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 192, as amended, passed the Senate on May 26, 1959?"

Which was not agreed to.

So the Senate refused to reconsider the vote by which House Bill No. 192, as amended, passed the Senate on May 26, 1959, and House Bill No. 192, as amended, was ordered certified to the House of Representatives.

#### SPECIAL AND CONTINUING ORDER OF BUSINESS

Pursuant to the motion made by Senator Pope on May 25,

1959, and the hour having arrived, the Senate took up for consideration Senate Bills Nos. 510, 624, 815, 820 and 892 and House Bills Nos. 990 and 1454 as a Special and Continuing Order of Business.

**S. B. No. 510**—A bill to be entitled An Act relating to public school personnel; providing that a member of the instructional or administrative staff of any state supported institution of higher learning, any junior college, any county school board or of the State Department who advocates or teaches anything which would be in violation of the Constitution of the State of Florida shall be dismissed from such position and shall lose all tenure or continuing contract rights; providing an effective date.

Was taken up in its order.

Senator Hair moved that the rules be waived and Senate Bill No. 510 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 510 was read the second time by title only.

The Committee on Education offered the following amendment to Senate Bill No. 510:

In Section 1, line 5, page 1, strike out the words: "or teaches" and insert in lieu thereof the following: "in the class room"

Senator Hair moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Education also offered the following amendment to Senate Bill No. 510:

In Section 1, line 5, page 1, strike out the words: "violate" and insert in lieu thereof the following: "subvert"

Senator Hair moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Education also offered the following amendment to Senate Bill No. 510:

In the title, line 6, page 1, strike out the words: "or teaches" and insert in lieu thereof the following: "in the class room"

Senator Hair moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hair offered the following amendment to Senate Bill No. 510:

In Title, line 7, page 1, strike out the words: "be in violation of" and insert in lieu thereof the following: "subvert"

Senator Hair moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hair moved that the rules be further waived and Senate Bill No. 510, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 510, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 510, as amended, the roll was called and the vote was:

Yeas—33.

Mr. President	Clarke	Hodges	Pope
Adams	Connor	Houghton	Rawls
Beall	Cross	Johns	Ripley
Belser	Davis	Kelly	Stenstrom
Boyd	Eaton	Kicliter	Stratton
Brackin	Edwards	Knight	Sutton
Branch	Getzen	Melton	Tedder
Bronson	Gresham	Pearce	
Carraway	Hair		

Nays—3.

Carlton	Gibbons	Price
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So Senate Bill No. 510 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

**S. B. No. 624**—A bill to be entitled An Act relating to public education; authorizing means and methods by which county school boards may successfully evaluate, assess, elucidate and solve school problems arising from the school desegregation decisions of the Supreme Court of the United States by authorizing each county school board to provide for referendums of the school patrons to indicate their approval or disapproval of the establishment of a school or schools within the county or a school district or any geographic area within the county to be attended by pupils of any race, and the establishment of a school or schools which may be attended only by pupils of the same sex; providing for a referendum on the matter of reopening any school or schools suspended because of the financial impracticability of operating same due to curtailed pupil enrollment; or, any school suspended because of physical violence, disorder, or other disruptions of the orderly operation of the public school system; providing the administrative machinery for holding said referendums; providing also for the conduct of surveys, studies, and the establishment of advisory committees in all matters and proceedings involving the public school system; providing discretionary authority for the county school boards to conduct public meetings and hearings in all such matters.

Was taken up in its order.

Senator Hair moved that the rules be waived and Senate Bill No. 624 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 624 was read the second time by title only.

Senator Hodges offered the following amendment to Senate Bill No. 624:

Strike Section 1 in its entirety, and renumber the following sections

Senator Hodges moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Hair moved that the rules be further waived and Senate Bill No. 624, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 624, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 624, as amended, the roll was called and the vote was:

Yeas—31.

Mr. President	Carraway	Gibbons	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Rawls
Boyd	Davis	Johns	Stratton
Brackin	Eaton	Kelly	Sutton
Branch	Edwards	Kicliter	Tedder
Bronson	Getzen	Knight	

Nays—6.

Carlton	Houghton	Ripley	Stenstrom
Gautier	Price		

So Senate Bill No. 624 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Johns requested unanimous consent of the Senate to take up and consider House Bill No. 1454, out of its order.

Unanimous consent was granted, and—

**H. B. No. 1454**—A bill to be entitled An Act relating to the duties of the Governor under his general powers to enforce the laws and see that order is kept in Florida, authorizing and requiring certain steps to be taken by the Governor where violence and breakdown of law and order is threatened around any Public School of Florida, providing that the Governor's



failure or refusal to act shall constitute misfeasance, malfeasance and/or nonfeasance in office; providing an effective date.

Was taken up.

Senator Johns moved that the rules be waived and House Bill No. 1454 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1454 was read the second time by title only.

Senator Johns moved that the rules be further waived and House Bill No. 1454 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1454 was read the third time in full.

Upon the passage of House Bill No. 1454 the roll was called and the vote was:

Yeas—8.

Mr. President	Brackin	Connor	Hodges
Belser	Branch	Hair	Johns

Nays—29.

Adams	Davis	Kelly	Ripley
Beall	Eaton	Kichter	Stenstrom
Boyd	Edwards	Knight	Stratton
Bronson	Gautier	Melton	Sutton
Carlton	Getzen	Pearce	Tedder
Carraway	Gibbons	Pope	
Clarke	Gresham	Price	
Cross	Houghton	Rawls	

So House Bill No. 1454 failed to pass.

By unanimous consent, Senator Johns withdrew Senate Bill No. 815 from the further consideration of the Senate.

Senator Carraway requested unanimous consent of the Senate to revert to the consideration of messages from the House of Representatives.

Unanimous consent was granted.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,  
May 27, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendment—

By the Committee on Appropriations—

S. B. No. 1083—A bill to be entitled An Act relating to finance and taxation for school purposes; amending Subsection (3) of Section 236.074, Florida Statutes, providing for the creation of the county school fund for additional capital outlay and providing an appropriation and allocation thereof; and providing an effective date.

Which amendment reads as follows:

Strike out: all after the enacting clause and insert the following in lieu thereof: Section 1. Subsection (3) of Section 236.074, Florida Statutes, is amended to read:

236.074, County school fund created.—

(3) **Appropriation for additional capital outlay.**—There is created in the office of the state treasurer a county school fund. There is hereby annually appropriated from the general revenue fund to the county school fund of the several counties maintained in the office of the state treasurer the sum of thirteen million seven hundred fifty thousand dollars (\$13,750,000.00) to be distributed at the rate of an amount equal

to two hundred dollars (\$200.00) multiplied by the number of pupils in average daily attendance for the last completed school year commencing with the school year 1958-1959 which is in excess of the number of pupils in average daily attendance during the next preceding school year as determined by law; provided that the average daily attendance for the next preceding school year shall never be computed for the purposes of this section as less than the average daily attendance for any school year commencing with and subsequent to the 1955-1956 school year; provided further, that any undistributed balance of the appropriation herein made remaining at the end of the first year of the biennium may be carried forward and added to the amount available in the second year of the biennium.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 1083, contained in the above message, was read by title, together with the House Amendment thereto.

Senator Carraway moved that the Senate concur in the House Amendment to Senate Bill No. 1083.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 1083.

And Senate Bill No. 1083, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

Senator Pearce requested unanimous consent of the Senate to take up and consider House Bill No. 990, out of its order.

Unanimous consent was granted, and—

H. B. No. 990—A bill to be entitled An Act authorizing the sheriff of any county of the State of Florida to close any public beach, park, or other public recreation facility within his jurisdiction when disorderly conditions exist or threaten to take place.

Was taken up.

Senator Pearce moved that the rules be waived and House Bill No. 990 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 990 was read the second time by title only.

Senator Stenstrom offered the following amendment to House Bill No. 990:

In Section 1, strike out all of Section 1 and insert in lieu thereof the following:

Section 1. The governing body of any municipality or the Board of County Commissioners of any county is hereby authorized to temporarily close any public beach, park or other public recreation facility within its jurisdiction when in its discretion conditions exist which present a clear and present threat of violence or disorder.

Senator Stenstrom moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator Pearce moved that the rules be further waived and House Bill No. 990 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 990 was read the third time in full.

Pending roll call on the passage of House Bill No. 990, Senator Pope moved that House Bill No. 990 be placed back on Second Reading for the purpose of amendment.

Which was not agreed to.

Upon the passage of House Bill No. 990 the roll was called and the vote was:

Yeas—27.

Mr. President	Carraway	Getzen	Melton
Adams	Clarke	Gresham	Pearce
Beall	Connor	Hair	Pope
Belser	Cross	Hodges	Rawls
Boyd	Davis	Johns	Ripley
Brackin	Edwards	Kelly	Sutton
Bronson	Gautier	Knight	

Nays—10.

Branch	Gibbons	Price	Tedder
Carlton	Houghton	Stenstrom	
Eaton	Kicliter	Stratton	

So House Bill No. 990 passed, title as stated.

Senator Pope moved that the Senate reconsider the vote by which House Bill No. 990 passed the Senate this day.

Senator Pearce moved, as a substitute motion, that the rules be waived and the Senate immediately reconsider the vote by which House Bill No. 990 passed the Senate this day.

H. B. No. 990—A bill to be entitled An Act authorizing the sheriff of any county of the State of Florida to close any public beach, park, or other public recreation facility within his jurisdiction when disorderly conditions exist or threaten to take place.

The President put the question on the substitute motion: "Will the Senate immediately reconsider the vote by which House Bill No. 990 passed the Senate this day?"

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which House Bill No. 990 passed the Senate this day.

The question recurred on the passage of House Bill No. 990.

Upon call of the roll on the passage of House Bill No. 990 the vote was:

Yeas—27.

Mr. President	Bronson	Gautier	Knight
Adams	Carraway	Getzen	Melton
Beall	Clarke	Gresham	Pearce
Belser	Connor	Hair	Rawls
Boyd	Cross	Hodges	Ripley
Brackin	Davis	Johns	Sutton
Branch	Edwards	Kelly	

Nays—9.

Carlton	Houghton	Price	Stratton
Eaton	Kicliter	Stenstrom	
Gibbons	Pope		

So House Bill No. 990 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent, Senator Pearce withdrew Senate Bill No. 820 from the further consideration of the Senate.

S. B. No. 892—A bill to be entitled An Act relating to the use of state instructional personnel at the elementary, grade, college and all other educational levels; providing said personnel may only be used to teach an integrated class when compelled to do so by an order of a court of competent jurisdiction or by the assignment of a mixed class by the local school board; forbidding the use of public funds to pay the expenses or salaries of any such state personnel when teaching or lecturing to any mixed group not in conformity with this act; providing a penalty for violation of this act; providing an effective date.

Was taken up in its order.

Senator Johns moved that the rules be waived and Senate Bill No. 892 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 892 was read the second time by title only.

Senator Johns offered the following amendment to Senate Bill No. 892:

In Section 1, following line 24, page 2, insert the following new subsection: (c) Provided, however, that this act shall not apply to the "Boot Strap Program" in its present scope as it presently exists but this act shall apply to any extension of said program beyond its present scope.

Senator Johns moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Pending further consideration of Senate Bill No. 892, as amended, Senator Johns moved that Senate Bill No. 892, as amended, be retained on Second Reading and made a Special and Continuing Order of Business for consideration by the Senate commencing when the Order of the Day is reached on Thursday, May 28, 1959.

Which was agreed to by a two-thirds vote and it was so ordered.

#### SPECIAL ORDER CALENDAR PURSUANT TO SENATE RULE 66

Senator Johns moved that the consideration of Senate Bill No. 982 be informally passed, the Bill retaining its place on the Special Order Calendar.

Which was agreed to by a two-thirds vote and it was so ordered.

Committee Substitute for H. B. No. 442—A bill to be entitled An Act relating to the milk commission; amending Chapter 501, Florida Statutes, amending Section 501.03, Florida Statutes; by providing administrator to be employed by milk commission; amending Subsection (1) of Section 501.04, Florida Statutes, relating to supervisory and regulatory powers of the commission; amending Section 501.04, Florida Statutes, by adding a new Section (13) by authorizing the commission to establish procedures for determining butterfat content; amending Subsection (4) of Section 501.09, Florida Statutes, by increasing tax to be paid by a distributor to a maximum of fifteen-one hundredths (15/100) of one cent (\$.01) per gallon; amending Subsection (6) of Section 501.09, Florida Statutes, by imposing the same tax on producers as herein imposed on distributors; amending Subsection (1) of Section 501.13, Florida Statutes, by deleting therefrom all reference to retail prices and defining whole fresh liquid milk and setting up standards for fixing producer milk prices; repealing Subsection (2) of Section 501.13, Florida Statutes, which relates to retail prices for milk; amending Subsection (3) of section 501.13, Florida Statutes, by deleting therefrom all reference to retail prices; amending Subsection (4) of Section 501.13, Florida Statutes, by deleting therefrom all reference to retail prices; amending Subsection (7) of Section 501.13, Florida Statutes, by deleting therefrom all reference to retail prices; providing formula for determining a price below which milk cannot be sold in stores and providing a method whereby such formula can be made applicable in all parts of the state; authorizing the commission to fix minimum prices of limited duration in emergencies and to adopt orders to promote fair competition among distributors; amending Section 501.20, Florida Statutes, by providing for the commission to withdraw from any area over which it now exercises control and to thereafter commence or withdraw exercise of its powers in any area upon a secret ballot following a petition and prescribing the circumstances under which such petition or ballot shall be effective; by providing that an established contractual relationship between a producer and distributor cannot be terminated by either except for just cause; by prohibiting a retailer from limiting the quantity of milk which may be purchased or make purchase contingent upon purchase of any other item; by requiring an annual audit by independent auditor of distributors' records; providing an effective date.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Committee Substitute for House Bill No. 442 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 442 was read the second time by title only.

Senator Pope offered the following amendment to Committee Substitute for House Bill No. 442:

Page 13, strike out Paragraph 2 and renumber

Senator Pope moved the adoption of the amendment.

A roll call was demanded.

Upon call of the roll on the motion made by Senator Pope, the vote was:

Yeas—10.

Boyd	Gautier	Kelly	Pope
Carlton	Gibbons	Kicliter	Stenstrom
Eaton	Houghton		

Nays—25.

Mr. President	Clarke	Hodges	Ripley
Adams	Cross	Johns	Stratton
Belser	Davis	Knight	Sutton
Brackin	Edwards	Melton	Tedder
Branch	Getzen	Pearce	
Bronson	Gresham	Price	
Carraway	Hair	Rawls	

So the amendment failed of adoption.

Senator Brackin moved that the rules be further waived and Committee Substitute for House Bill No. 442 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 442 was read the third time in full.

Upon the passage of Committee Substitute for House Bill No. 442 the roll was called and the vote was:

Yeas—23.

Mr. President	Carraway	Getzen	Pearce
Adams	Clarke	Gresham	Rawls
Belser	Cross	Hair	Ripley
Brackin	Davis	Hodges	Stratton
Branch	Edwards	Knight	Sutton
Bronson	Gautier	Melton	

Nays—12.

Boyd	Gibbons	Kelly	Price
Carlton	Houghton	Kicliter	Stenstrom
Eaton	Johns	Pope	Tedder

So Committee Substitute for House Bill No. 442 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent, Senator Hair withdrew Senate Bill No. 723 from the further consideration of the Senate.

Senator Adams requested unanimous consent of the Senate to take up and consider Senate Bill No. 972, out of its order.

Unanimous consent was granted, and—

S. B. No. 972—A bill to be entitled An Act relating to small claims courts in all counties in the state having a population of not less than fourteen thousand three hundred (14,300) and not more than fourteen thousand seven hundred (14,700), according to the latest official state-wide decennial census; fixing the compensation of the clerk; fixing filing fees; requiring Board of County Commissioners to provide facilities; fixing an effective date.

Was taken up.

Senator Adams moved that the rules be waived and Senate Bill No. 972 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 972 was read the second time by title only.

Senator Adams moved that the rules be further waived and Senate Bill No. 972 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 972 was read the third time in full.

Upon the passage of Senate Bill No. 972 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So Senate Bill No. 972 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Adams requested unanimous consent of the Senate to take up and consider Senate Bill No. 973, out of its order.

Unanimous consent was granted, and—

S. B. No. 973—A bill to be entitled An Act relating to Clay County; authorizing the Board of County Commissioners to pay to Alex L. Gilmour, Inc., the sum of twenty-two hundred nine dollars and sixteen cents (\$2,209.16) for services rendered and materials supplied in repairing the county jail; and providing an effective date.

Was taken up.

Senator Adams moved that the rules be waived and Senate Bill No. 973 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 973 was read the second time by title only.

Senator Adams moved that the rules be further waived and Senate Bill No. 973 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 973 was read the third time in full.

Upon the passage of Senate Bill No. 973 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So Senate Bill No. 973 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Adams requested unanimous consent of the Senate to take up and consider Senate Bill No. 974, out of its order.

Unanimous consent was granted, and—

S. B. No. 974—A bill to be entitled An Act authorizing the County School Board of each county in the State having a population of not less than fourteen thousand three hundred (14,300) and not more than fourteen thousand seven hundred (14,700), according to the latest official state-wide decennial census, to grant additional compensation, by the affirmative vote of four (4) members, to any board member who performs duties for said board which far exceed the normal

duties performed by other board members; fixing an effective date.

Was taken up.

Senator Adams moved that the rules be waived and Senate Bill No. 974 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 974 was read the second time by title only.

Senator Adams moved that the rules be further waived and Senate Bill No. 974 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 974 was read the third time in full.

Upon the passage of Senate Bill No. 974 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So Senate Bill No. 974 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Adams requested unanimous consent of the Senate to take up and consider Senate Bill No. 975, out of its order.

Unanimous consent was granted, and—

S. B. No. 975—A bill to be entitled An Act authorizing county school boards in counties in the State having a population of not less than fourteen thousand three hundred (14,300) and not more than fourteen thousand seven hundred (14,700), according to the latest official state-wide decennial census, to arrange for the erection of a school building under construction as of April 15, 1959, on a day labor basis up to a total project cost of thirty-five thousand dollars (\$35,000.00); fixing an effective date.

Was taken up.

Senator Adams moved that the rules be waived and Senate Bill No. 975 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 975 was read the second time by title only.

Senator Adams moved that the rules be further waived and Senate Bill No. 975 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 975 was read the third time in full.

Upon the passage of Senate Bill No. 975 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So Senate Bill No. 975 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Houghton requested unanimous consent of the Senate to take up and consider House Bill No. 1827, out of its order.

Unanimous consent was granted, and—

H. B. No. 1827—A bill to be entitled An Act amending Chapter 29438, Laws of Florida, Special Acts of 1953, being the Act creating and establishing the Indian Rocks special fire control district; changing the assessment rates of the district; and providing for referendum election on this Act.

Was taken up.

Senator Houghton moved that the rules be waived and House Bill No. 1827 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1827 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 1827 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1827 was read the third time in full.

Upon the passage of House Bill No. 1827 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So House Bill No. 1827 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Houghton requested unanimous consent of the Senate to take up and consider House Bill No. 1274, out of its order.

Unanimous consent was granted, and—

H. B. No. 1274—A bill to be entitled An Act relating to Salaries of Juvenile Court Judges and the Expenses of their Offices in Counties having a population of not less than one hundred fifty thousand (150,000) and not more than two hundred forty thousand (240,000) inhabitants according to the latest official state-wide decennial census; providing for repeal of Chapter 30471, Laws of 1955; providing effective date.

Was taken up.

Senator Houghton moved that the rules be waived and House Bill No. 1274 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1274 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 1274 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1274 was read the third time in full.

Upon the passage of House Bill No. 1274 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So House Bill No. 1274 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Eaton requested unanimous consent of the Senate to take up and consider House Bill No. 1667, out of its order.

Unanimous consent was granted, and—

H. B. No. 1667—A bill to be entitled An Act amending Subsection (6) of Section 561.20, Florida Statutes, relating to issuance of beverage licenses to nonprofit corporations or clubs devoted to promoting community, municipal or county development or any phase of community, municipal or county development; promoting general welfare and prosperity of members of showmen and amusement enterprises; assisting, promoting and developing subordinate lodge or club of a national fraternal or benevolent association; promoting, developing and maintaining cultural relations of people of same nationality in counties having a population of more than four hundred thousand (400,000) inhabitants according to the latest official state-wide decennial census; providing for the issuance of additional licenses to chartered or incorporated clubs owning or maintaining bona fide golf courses with attendant golf facilities; providing for the suspension or revocation of such licenses for failure to maintain golf course and facilities; providing an effective date.

Was taken up.

Senator Eaton moved that the rules be waived and House Bill No. 1667 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1667 was read the second time by title only.

Senator Eaton moved that the rules be further waived and House Bill No. 1667 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1667 was read the third time in full.

Upon the passage of House Bill No. 1667 the roll was called and the vote was:

Yeas—37.

Mr. President	Clarke	Hair	Pope
Adams	Connor	Hodges	Price
Beall	Cross	Houghton	Rawls
Belser	Davis	Johns	Ripley
Boyd	Eaton	Kelly	Stenstrom
Brackin	Edwards	Kicliter	Stratton
Branch	Gautier	Knight	Sutton
Bronson	Getzen	Melton	Tedder
Carlton	Gibbons	Pearce	
Carraway	Gresham		

Nays—None.

So House Bill No. 1667 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Davis moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:58 o'clock P.M., until 10:00 o'clock A.M., Thursday, May 28, 1959, pursuant to the motion made by Senator Davis, Chairman of the Committee on Rules and Calendar, adopted by the Senate on May 26, 1959.